

DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS

REGULAR MEETING

April 13, 2010

The Regular Meeting of the Doylestown Township Board of Supervisors was held at 7:00 p.m. on Tuesday, April 13, 2010 at the Doylestown Township Municipal Building, 425 Wells Road, Doylestown, PA. Members of the Board of Supervisors in attendance included Chairman; Barbara N. Lyons, Vice Chairman; E. Thomas Scarborough, Jr., Supervisors: Barbara Eisenhardt, Cynthia Philo and Richard P. Colello. Others in attendance included Township Engineer; Mario Canales, Director of Operations; Richard E. John, and Township Manager; Stephanie J. Mason

Absent: Chief of Police; Stephen J. White, in his absence Lieutenant Dean Logan was present
Township Solicitor; Jeffery P. Garton, in his absence Mr. Doug Maloney served as Acting Solicitor

PLEDGE OF ALLEGIANCE

VISITORS/PUBLIC COMMENTS: None

ANNOUNCEMENTS:

The next meeting of the Board of Supervisors is scheduled for Tuesday, May 4, 2010 at 7:00 p.m.

Administrative Professionals Day is Wednesday, April 21, 2010.

Arbor Day Event will be held on Saturday, April 24, 2010 at 8:00 a.m., Meeting place to plant trees is at the North Bound Access point off Route 202, near Doylestown Hospital

Touch-A-Truck will be held on Saturday, May 1, 2010 from 1:00 to 4:00 p.m. at Central Park

Home Run Derby will be held on Thursday, May 20, 2010 from 4:30 p.m. to Dusk at Turk Park

Doylestown Township Annual Golf Outing will be held on Monday, June 7, 2010 beginning at 9:00 a.m., at the Doylestown Country Club.

Fishing Derby will be held on Sunday, June 20, 2010 at 7:30 a.m. at Peace Valley Park

MINUTES APPROVAL:

Mr. Scarborough made a MOTION to approve the March 16, 2010, Board of Supervisors meeting minutes, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 4 to 0, with Mrs. Lyons abstaining due to her absence at the March 16, 2010 meeting

CORRESPONDENCE: None

REPORTS

SOLICITOR: No Report

TOWNSHIP ENGINEER: Neshaminy Creek Watershed

Mr. Canales referenced his letter, dated March 29, 2010 indicating the Bucks County Planning Commission has completed a revised final draft of the Neshaminy Creek Watershed Act 167 Stormwater Management Plan with solicited public comments. The next step is for the Planning Commission to review the Stormwater Plan and comments for submittal to the Department of Environmental Protection (DEP).

Upon DEP approval the municipalities will have within six (6) months to adopt or amend the local stormwater ordinances per the standards and criteria of the plan adopted in March 2005. The changes indicated will be a 75% release rate, volume control requirements and fewer exemptions.

POLICE CHIEF: No Report

TOWNSHIP MANAGER: Training Requests

Ms. Mason requests the Board's permission to attend with an overnight stay, the annual PSAT Convention and Association of Pennsylvania Municipal Managers Conference for continuing education purposes. The consensus of the Board was for Ms. Mason to attend.

Mrs. Lyons made a MOTION to approve the Board of Supervisors attending the PSAT Convention be reimbursed for expenses incurred, seconded by Mr. Scarborough.

MOTION was ADOPTED 3 to 2 with Ms. Philo and Mrs. Eisenhardt voting nay.

Fleet Manager Request

Ms. Philo made a MOTION to declare obsolete and send to auction for disposal two (2) Ford Crown Victoria (#2904 & #2912), seconded by Mrs. Eisenhardt

MOTION was ADOPTED 5 to 0.

SUPERVISORS

Mrs. Lyons suggested to Board advertise and interview for the Chairman vacancy of the Planning Commission, due to Mr. Rick Colello's new position on the Board of Supervisors. Mr. Scarborough

added to include a vacancy for the Performing Arts Committee.

A discussion ensued amongst the Board regarding the best procedure in appointing a new candidate for vacancies on Boards and Commissions.

Mr. Colello informed the public of several items pending from the Planning Commission and Bike and Hike Committee including...

1. The New Apostle Church request for waivers in regards to their land development plans has been forwarded to the Zoning Hearing Board for re-engineering before returning to the Planning Commission for a second time.
2. A Training Module is in the works that will include a 10 to 15 minutes explaining the functions of the Planning Commission to be broadcast on the Township's Government Access Channel.
3. The Bike and Hike Committee is currently working on grants to extend the bike and hike into Peace Valley Nature Center.
4. Progress has been made for the bike and hike path extension from Scout Way along Pebble Hill Road.

Ms. Philo thanked PennDot and residences who attended the Route 202 Parkway Update meeting, which took place on March 18, 2010. Information on this meeting was televised on local cable channels as well as on the Township's website www.doylestown.org, under the Route 202 Parkway link. PennDot will keep the Township abreast of any update regarding the construction.

Mr. Scarborough joyfully announced the birth of Special Projects Coordinator; Sandra Zadell's son, William John, weighing 8 pounds and 4 ounces. Both mother and son are doing well. Mr. Scarborough also stated with regret the passing of Ms. Carolyn Waltz. Ms. Waltz has been a long standing member of several Township's Committees and Boards. Finally, Mr. Scarborough attended a ribbon cutting ceremony for the YMCA expansion in Doylestown and a ground breaking ceremony for the Chalfont Fire Company's new firehouse.

Mrs. Eisenhardt questioned Mr. John on the status of recent testing completed to the townships public water system. Mr. John answered; some tests were returned and the results were below the maximum contamination allowed. Mrs. Eisenhardt then questioned the protocol for informing residences near the contamination that are not connected to the system. Mr. John wasn't aware of any private wells in the area; however he will consider creating a protocol for future reference.

Ms. Mason then asked Mr. John if the Bucks County Health Department or DEP would determine what impact of public well contaminations. Mr. John answered; an engineering study may need to be performed to find where the water is flowing underground. Ms. Eisenhardt then suggested Mr. John coordinate with the Bucks County Department of Health to determine if there is a public well that is

contaminated is currently any guidelines that would recommend if you have homes with private wells within a certain distance from the contamination, should testing be completed. Mr. John will investigate.

Mrs. Lyons advised the public that on April 7, 2010 she attended a meeting with representatives from Doylestown Borough, New Britain Borough, and Warwick Township about police regionalization. The Board of Supervisors can enter into an application for a grant study from the Department of Community and Economic Development for a feasibility study of police regionalization in Bucks County, as per the resolution passed by the Board of Supervisor in January 2010.

UNFINISHED BUSINESS - The Kadan Property – 7 Theodore Way

Attorney for Sam and Nadell Kadan; Mr. William E. Benner addressed the Board for their approval to allocate 809 square feet of imperious surface proportional to all seven lots located in Doylestown Woods and an additional 1,181 square feet to Dr. & Mrs. Kadan's property on 7 Theodore Way.

The community in Doylestown Woods is zoned R1A and originally allocated 11,080 square feet as one property, including a road towards the imperious surface. 98,000 square feet of imperious surface was allocated to the proposed street and seven residential lots. A total of 5,770 square feet is unallocated. Dr. and Mrs. Kadan are requesting an increase of imperious surface to complete improvements on their home totaling 13,070 square feet, which is 2,000 square feet more imperious surface.

Mr. Benner then suggested the Board approve a division of unallocated imperious surface of 5,700 square feet be proportion among the seven lots. The Kadan property will equal 809 square feet, which will total 11,889 square feet, which is less than 15% a zoning of R1A is allowed by the township.

Mr. Benner concluded by indicating if the Board chooses to approve this request, they would need to amend the note on the Doylestown Woods plan. Due in part, when the Doylestown Subdivision plan was approve notations included restrictive conveyance originally drafted in 2005.

Mrs. Lyons asked what will happen to the unallocated 3,700 square feet, should the clients receive the proposed increase of imperious. Mr. Benner answered; the 3,700 square feet will remain unallocated under the Board discretion.

Mr. Benner then suggested submitting a request for a neighbor to surrender their unallocated portion of imperious surface. Although some neighbors did not object, but no neighbors are prepare to surrender.

Mrs. Eisenhardt made at MOTION for the Board to entitle Dr. and Mrs. Kadan of 7 Theodore Way a 15% allocation of the imperious surface, because they live in a zoned area that allows 15% of imperious surface for your personal property, seconded by Mr. Scarborough.

Mr. Maloney agreed with Mr. Benner by stating the Kadan's request is not a zoning issue until one of the

15% allocation limits is exceeded as a site or individual basis. However, Mr. Maloney pointed out Mr. Benner asked for less than 15% of imperious surface and the Board approved more. Mr. Benner indicated the percentage is 14.99%, which give other neighbors a chance to request their 15%.

Mr. Canales clarified that once the Kadan's request for 15% of imperious surface is approved, the neighboring residences will not receive 15%, due to Doylestown Woods being limited to 103,585 square feet of imperious surface, which only leaves 3,700 square feet to divide between the other seven lots.

Resident; Mr. John Everett of 2221 Turk Road questioned if tonight's approval will set presidencies for contractors to manipulate the township's system. Mr. Maloney answered; that tonight's approval is at the discretion of the Board of Supervisors. Mr. Everett then suggested the Board, in the future set a strict structure for future requests.

MOTION was ADOPTED 4 to 1, with Ms. Philo voting nay due to her belief the Kadan's property is a Zoning Hearing Board matter.

Mr. Scarborough made a MOTION to include a condition that the offered declaration is included in the entitlement of Dr. and Mrs. Kadan a 15% allocation of the imperious surface, because they live in a zoned area that allows 15% of imperious surface for your personal property, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 4 to 1, with Ms. Philo voting nay.

NEW BUSINESS

Eves Tract – Minor Final Subdivision / Review Extension

Mr. Scarborough made a MOTION to approve the Eves Tract – Minor Subdivision is extended until June 30, 2010, seconded by Mr. Colello.

MOTION was ADOPTED 5 to 0.

Doylestown Fire Company No. 1 – Building Permit Waiver Request

Mr. Scarborough made a MOTION to waive the \$65.00 Building Permit fee so they may construct an additional off road parking space at Warden Station, seconded by Ms. Philo.

MOTION was ADOPTED 5 to 0

Mrs. Eisenhardt requested the Board revisit the approval of Non-profit and Commercial waiver requests and abide by Doylestown Boro's policy, which does not approve any waiver requests.

BC Tax Collection Committee – DCED Grant Resolution

Mr. Scarborough made a MOTION to accept the DCED Grant Resolution in order to file an application with the Pennsylvania Department of Community and Economic Development for a grant to assist the TCC start up costs, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0

B.C. Consortium Fuel Bid – May 1, 2010 to April 30, 2011

Mrs. Eisenhardt made a MOTION to accept the B.C. Consortium Fuel Bid in the amount of \$112,364.00 for gasoline and diesel fuels by ...*Farm & Home Oil Company*, seconded by Mr. Scarborough with questions. Mr. Scarborough asked Mr. John if the prices are guaranteed. Mr. John answered; the prices are not guaranteed, due to the gasoline's market rates changing on a weekly basis.

MOTION was ADOPTED 5 to 0

Eagle Scout Proclamations

Mr. Scarborough made a MOTION to approve Alexander Phillip Cull of Troop 6 is awarded rank of Eagle Scout and R. Andrew Benton II of Troop 71 is awarded rank of Eagle Scout, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0

Morgan Stanley – 457 Plan

Mr. Scarborough made a MOTION to add Morgan Stanley Smith & Barney as an option for township employee's pension plan and the Township will not be held responsible by this choice, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

BILLS' LIST

Mr. Scarborough made a MOTION to accept the April 13, 2010, Bill's List in the amount of \$74,178.82, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

TREASURER'S REPORT

Mr. Scarborough made a MOTION to accept the April 13, 2010, Treasurer's Report, seconded by Mrs. Eisenhardt.

MOTION was ADOPTED 5 to 0.

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ADJOURNMENT: 8:01 p.m.

Respectfully submitted by

Stephanie J. Mason, Secretary